

WEATHER FORECAST FOR TODAY.
Moderate trades, weather fair and possibly light showers.

SUGAR—96° Centrifugals, 3.88.
88 Analysis beats 8s 10 1-2d.

ESTABLISHED JULY 2, 1856.

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HONOLULU, HAWAII TERRITORY, WEDNESDAY, OCTOBER 28, 1903.

PRICE FIVE CENTS.

DEATH OF JUDGE MORRIS M. ESTEE CAUSES GENERAL PUBLIC SORROW

The Funeral Services Will Take Place This Morning in Central Union Church Instead of Masonic Temple.

The Body Will Be Taken to the Steamer Alameda Sailing at Noon—An Escort of Honor—Last Hours of the Dead Jurist. Estimate of His Career and Character.

After the news of the unfavorable turn in Judge M. M. Estee's condition, which was given in yesterday morning's Advertiser, the community was not unprepared for the announcement of his death which soon followed. Judge Estee died at 8:55 a. m. There was but a slight flush of apparently favorable symptoms shown by the patient late Monday night, other than which the real truth was only too evident as being that his relapse could not be stayed.

Judge Estee bore up bravely and even cheerfully for forty-eight hours after the operation performed on Saturday afternoon, but became unconscious on Monday and so continued until the end with an interval of delirium. The attending physicians, Drs. Mays and Wood, were powerless against the handicap of age and a long-preceding term of broken health.

Those who watched by the bedside of the dying jurist in his last hours included Mrs. Estee, Miss Ryan, Justice and Mrs. Galbraith, District Attorney Breckons, Assistant District Attorney Dunne, Marshal Hendry, Clerk Mailing and E. P. Dole. Among the first callers on Mrs. Estee, after the news of the death got about, were Governor Dole and Superintendent Cooper.

It was one of Judge Estee's last requests that his body should be sent to San Francisco for burial. Hence after his death arrangements were promptly made for sending the remains there in the Alameda leaving today. W. G. Irwin & Co., agents of the Oceanic Steamship Co., delayed the sailing of the steamer from 11 a. m. until 12 m., to give opportunity for funeral services here over the body.

There was a large meeting of prominent Masons held at the Masonic Temple in the morning, presided over by Abram Lewis, Jr., acting Master of Hawaiian Lodge, F. & A. M., to make arrangements for holding the funeral from the Temple. A committee to take charge of the ceremonies was appointed, consisting of E. I. Spalding, H. E. Cooper, N. E. Gedge, C. M. White, W. L. Stanley, C. S. Hall, M. E. Grossman, J. M. Little and A. Lewis, Jr. This committee met in the afternoon and completed arrangements, which included the participation of the Odd Fellows and other societies, together with the general public, in services at the Temple and in the procession.

Late in the afternoon, however, the place for holding the services was changed from the Masonic Temple to Central Union church whose pastor, Rev. W. M. Kincaid, was to have delivered the funeral address at the originally appointed place. This change appears to have been made in deference to public opinion, which deemed the church the more suitable place for a general assembly of the people under all the circumstances. It was not until late last night that the arrangements for the funeral were perfected.

MARKS OF RESPECT.

Governor Dole ordered Captain Berger to suspend all public performances of the band for the day, hence there was no music at the Kinau's departure and the concert announced for the Young Hotel last night was canceled.

Circuit Judges De Bolt, Gear and Robinson each adjourned court on hearing of Judge Estee's death. Judge De Bolt acted of his own motion, calling for remarks from the bar. No doubt it was in view of a set memorial session of the Supreme Court, which as a matter of course will be held, that none of the attorneys present responded.

Judge Gear, on a motion of Attorney General Andrews to adjourn until Monday next, made a feeling speech from a personal acquaintance with Judge Estee extending back some years in California. Messrs. Stewart and Douthitt also made appropriate remarks. Judge Robinson was in Mr. Estee's law office in San Francisco for seven years and, besides expressing his greatest regard for the lamented jurist, said it was imperative that the court should honor his memory as that of the highest Federal official in this Territory.

On account of the funeral of Judge Estee this morning, Judge De Bolt on adjourning court yesterday excused his trial jurors until 9:30 a. m. tomorrow. The Court of Land Registration adjourned for the day.

Treasurer Kepoikal ordered the Tax office closed yesterday afternoon, as it occupies quarters neighboring the Federal court chambers.

Governor Dole later issued an order directing that all Government offices be closed and flags upon public buildings displayed at half mast until 12 o'clock noon today, in honor of the memory of Judge Estee.

J. D. Avery, reporter of the Federal court, hung crepe upon the door of his office in the Elite building and attached to the door a notice, heavily bordered in black ink, reading: "Closed. Honorable Morris March Estee, Judge United States District Court, died 9 a. m. Tuesday, October 27, 1903." At the same time, immediately upon the death of the Judge, the flag over the Elite building was half-masted.

All of the staffs upon the Alexander Young Hotel building, where the late Judge had stayed, had flags at half mast when the news of the Judge's death was announced. As for business houses, it has been seldom if ever that so many of them showed flags at half mast on a single occasion.

Col. J. W. Jones early in the day issued an order for the First Regiment, N. G. H., to assemble at the drill shed this morning at 8 o'clock, for the purpose of acting as an escort to the remains of Judge Estee.

The banks will not open until 11 o'clock today, out of respect for the late Judge Estee's funeral.

Owing to the funeral of Judge M. M. Estee, the Stock Exchange will not meet today till 11 a. m.

FUNERAL SERVICES AND PROCESSION

Funeral services over the body of the late Judge Estee will be held in Central Union church at 9:30 o'clock this morning, under the auspices and direction of Hawaiian Lodge No. 21, F. & A. M. Judge Estee was a Past Grand Master of the Grand Lodge of California, and Hawaiian Lodge is the only one in Honolulu working under that jurisdiction. Hence its taking charge of the funeral, but the demands of seating capacity were so great that the church was selected for the services instead of the Masonic Temple. Rev. W. M. Kincaid kindly turned over the whole church for the use of the Masons.

In Central Union church seats have been set apart for those attending the services, as follows:

On the left side, entering the church, Governor Dole and staff, Admiral Terry and aides, the Judiciary, officers from Camp McKinley, the whole Bar Association, heads of Territorial departments, Federal officials, postoffice, customs, internal revenue, quarantine, immigration, justice, etc.

On the right, entering the church, will be seats for the Honolulu Commandery, K. T., followed by the I. O. O. F. and K. of P. lodges.

In the middle, the chief mourners will occupy the first front pew but one, followed by the Masons occupying the next six rows.

The general public will fill up the back part and extreme sides of the church.

Bro. A. Lewis, Jr., Worshipful Master of Hawaiian Lodge, will have charge of the services at the church. (Continued on page 2.)



THE LATE JUDGE M. M. ESTEE.

THE LATE FEDERAL JUDGE—MORRIS M. ESTEE

BY HENRY E. NIGHTON.

There is a tender aloha to the memory of Judge Morris M. Estee in the hearts of our Territorial population, without distinction of party, sect or nationality. Men and women who never saw him nevertheless experience a sense of personal distress. The lone widow, starting this day on her desolate journey, may be strengthened to endure her sufferings by the consciousness, that, as the steamer leaves the wharf, it will be accompanied by a magnetic flow of that sympathy which, under the influence of such a death, springs, pure and spontaneous, from the human heart.

The hold that Judge Estee acquired and retained upon our people, native and foreign, is chiefly due to character. He was not demonstrative, he was not impulsive, he was not gushing nor even sentimental. And yet, he was recognized as an American, invincibly honest and impregnated with the spirit of Justice. More than this, he was broad, tolerant, and, though firm in principle, gentle and patient, even to ignorance and prejudice. He was true as steel to his numerous friendships, but, in estimating facts and applying the law, essentially judicial and incapable of importing extrinsic influence into his judgments. In the single volume of his Hawaiian decisions that has been published, the evidences of this truth are conspicuous and convincing. The poor sailor, the unconvicted criminal, stood before him on a common level with corporations and capitalists. Human rights and property interests were ranged before him, exactly according to

their relative proportions, and both were safe in his hands.

He endeavored at least—and from the numerous affirmations of his decisions apparently with unusual success—to probe every controversy to its roots, without regard to personality, color, or pecuniary results. Mere sophistries, the exaggerated technicalities of lawyers bent on success, he brushed aside, almost with indignation. A Chinaman who possessed the privileges of citizenship he recognized instantly. A Chinaman attempting a fraud upon the Exclusion Act, he deported without hesitation. No such constitutional interpretation as the requirement of an indictment, under the Fifth Amendment to the Federal Constitution, for every petty offense that might be committed, ever occurred to his mind. In one of his early rulings he plainly covered this point, and said, "That, when Hawaii was acquired, it was a free, enlightened state, possessing all the attributes of sovereignty, and when with its consent, the Islands were annexed by the United States, not only the lands, but the people with their laws and customs were annexed; and by the well established law of nations, these laws and customs remained in force until new laws were enacted for the government of the Territory."

In another case he held that confinement in the Oahu Prison did not convert a contempt into an "infamous offense." He sustained the Territorial Stamp Act. He frequently declined to interfere collaterally with the judgments of the Supreme Court of the Territory. In condemnation proceedings, which were at one time numerous, his charges to juries were perspicuous and definite, and he differed from other

(Continued on page 2.)

DEATH OF AUTHOR AND WAR CORRESPONDENT

LONDON, Oct. 28.—Albert Vandam, the author, is dead.

Albert Dresden Vandam was fifty years of age. He was born in London and was the son of Mark Vandam, the District Commissioner of the Netherlands State Lotteries. As a war correspondent he commenced work during the Prusso-Austrian war of 1866. He corresponded for several American papers during the Franco-German war, and in 1871 settled permanently in London, but afterwards spent five years in Paris as the correspondent of the London Globe. As an author some of his best known works are: "Amours of Great Men", "An Every Day Heroine", "The Story of the Coup d'Etat", "Behind the Scenes of the Comedie Francaise", "An Englishman in Paris", "French Men and French Manners", and "A Court Tragedy."

MILLET BESTS WENIG.

OAKLAND, Oct. 28.—Millet knocked out Wenig in the second round.

FIVE SHOTS FIRED AT THE MEXICAN PRESIDENT

None of Them Take Effect and the Would-be Assassin Is Arrested.

Easier Feeling in Orient—Balkan Scare Over. Sound Cities Consolidated—Author Vandam Dead.

(ASSOCIATED PRESS CABLEGRAMS.)

GUANAJATO, Mexico, Oct. 28.

—Elias Toscano shot five times without effect at President Diaz who, with a party of friends, was riding in a street car. Toscano was arrested.



On Sept. 16, 1897, Joaquin Arroyo attempted to kill President Diaz and when captured was killed by the Mexican police.

DOMINICAN REBELS STILL WIN VICTORIES

CAPE HAYTIEN, Oct. 28.—The insurgents have captured La Vega.

By the capture of La Vega, following closely upon yesterday's report of a victory at Santiago the Dominican insurgents get closer to Santo Domingo, the seat of government. They have made a fifteen mile advance from Santiago to La Vega and are now within a two day's march of the capital.

NICARAGUA VOLCANO ACTIVE.

NICARAGUA, Oct. 28.—The volcano of Santiago is in eruption and the coffee crop has been damaged.

BULGARIA SENDS ITS RESERVES BACK HOME

SOFIA, Oct. 28.—An order issued yesterday demobilizing the Bulgarian reserves ends the war scare. It is not deemed likely that the spring will see any further trouble on the frontier. Since the death of the Macedonian leader, Boris Sarafoff, the peace element has become much stronger.

RUN ON ST. LOUIS BANKS.

ST. LOUIS, Oct. 29.—There was a run on three of the city banks today but all demands were met.

THINGS QUIETER IN THE FAR EAST

YOKOHAMA, Oct. 28.—The diplomatic situation between Japan and Russia is easier.

PARIS, Oct. 28.—Count Lamsdorff, the Russian Foreign Minister, is here in conference with M. Delcasse, the French Minister of Foreign Affairs, upon the situation in the Far East.

NAVAL REINFORCEMENT.

COPENHAGEN, Oct. 28.—A Russian cruiser sailed for the Orient yesterday.

[FOR ADDITIONAL CABLEGRAMS SEE PAGE 2]